

# AIR QUALITY

## TIER I OPERATING PERMIT

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**Permittee** Best Bath Systems, Inc. - Caldwell  
**Permit Number** T1-2012.0067  
**Project ID** 61131  
**Facility ID** 027-00103  
**Facility Location** 723 Garber Street  
Caldwell, ID 83605

### Permit Authority

This permit (a) is issued according to the “Rules for the Control of Air Pollution in Idaho” (Rules) (IDAPA 58.01.01.300–386) (b) incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210 and the permittee elects not to incorporate those terms and conditions into this operating permit.

The permittee shall comply with the terms and conditions of this permit. The effective date of this permit is the date of signature by DEQ on this cover page.

**Date Issued** DRAFT XX, 2013

**Date Expires** DRAFT XX, 2018

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**Kelli Wetzel, Permit Writer**

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# 1 Acronyms, Units, and Chemical Nomenclature

ASTM	American Society for Testing and Materials
Btu	British thermal unit
CAA	Clean Air Act
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CMS	continuous monitoring systems
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	CO <sub>2</sub> equivalent emissions
COMS	continuous opacity monitoring systems
DEQ	Idaho Department of Environmental Quality
EPA	United States Environmental Protection Agency
GHG	greenhouse gases
HAP	hazardous air pollutants
hr/yr	hours per consecutive 12-calendar-month period
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
lb/hr	pounds per hour
MACT	Maximum Achievable Control Technology
MMBtu	million British thermal units
MRRR	Monitoring, Recordkeeping and Reporting Requirements
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>2</sub>	nitrogen dioxide
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standards
O&M	operation and maintenance
O <sub>2</sub>	oxygen
PC	permit condition
PM	particulate matter
PM <sub>2.5</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTC	permit to construct

PTE	potential to emit
<i>Rules</i>	<i>Rules for the Control of Air Pollution in Idaho</i>
SO <sub>2</sub>	sulfur dioxide
SO <sub>x</sub>	sulfur oxides
T/day	tons per calendar day
T/hr	tons per hour
T/yr	tons per consecutive 12-calendar-month period
T1	Tier I operating permit
T2	Tier II operating permit
U.S.C.	United States Code
VOC	volatile organic compound

## 2 Permit Scope

### Purpose

- 2.1 This initial Tier I operating permit establishes facility-wide requirements in accordance with the Idaho State Implementation Plan control strategy and the Rules.
- 2.2 This Tier I operating permit incorporates the following permit(s):
- Permit to Construct No. P-2010.0047, issued June 22, 2010

### Regulated Sources

Table 2.1 lists all sources of regulated emissions in this permit.

**Table 2.1. Regulated sources.**

Permit Section	Source	Control Equipment
4	Coatings applications during fabrication of fiberglass reinforced plastics. Emissions from application process exhaust to Stacks EF-9, EF-10, EF-11, EF-12 and EF-14.	For PM/PM <sub>10</sub> /PM <sub>2.5</sub> control: 1-inch fiberglass filter (approximately 72% efficiency); and fiberglass bulk media filter (approximately 84% efficiency) For VOC and HAP control: Control of operations in accordance with NESHAP/MACT requirements
	Combustion emissions from one makeup air unit with an input rating of approximately 8.6 MMBtu/hr. Emissions from this direct-fired natural gas fueled unit are vented through the fiberglass production area exhaust stacks.	Use of natural gas fuel, and good combustion control

### 3 Facility-Wide Conditions

Table 3.1 contains a summary of requirements that apply generally to emissions units at the facility.

**Table 3.1. Applicable requirements summary.**

Permit Conditions	Parameter	Limit / Standard Summary	Applicable Requirements Reference	Monitoring, Recordkeeping, and Reporting Requirements
3.1–3.4	Fugitive Dust	Reasonable control	IDAPA 58.01.01.650–651	3.2- 3.4, 3.20, 3.25
3.5–3.6	Odors	Reasonable control	IDAPA 58.01.01.775–776	3.6, 3.20
3.7–3.9	Visible Emissions	20% opacity for no more than 3 minutes in any 60-minute period	IDAPA 58.01.01.625	3.8 - 3.9, 3.20, 3.25
3.10–3.14	Excess Emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130–136	3.10 - 3.14, 3.20, 3.25
3.15	Open Burning	Compliance with IDAPA 58.01.01.600-623	IDAPA 58.01.01.600–623	3.15, 3.20, 3.25
3.16	Asbestos	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	3.16, 3.20, 3.25
3.17	Accidental Release Prevention	Compliance with 40 CFR 68	40 CFR 68	3.17, 3.20, 3.25
3.18	Recycling and Emissions Reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	3.18, 3.20, 3.25
3.19	NSPS/NESHAP General Provisions	Compliance with 40 CFR 63, Subpart A	IDAPA 58.01.01.107.03	3.19, 3.20 - 3.25
3.20	Monitoring and Recordkeeping	Maintenance of required records	IDAPA 58.01.01.322.06	3.20, 3.25
3.21 – 3.24	Testing	Compliance testing	IDAPA 58.01.01.157	3.21 - 3.24, 3.20, 3.25
3.25	Reports and Certifications	Submittal of required reports, notifications, and certifications	IDAPA 58.01.01.322.08	3.25
3.26	Incorporation of Federal Requirements by Reference	Compliance with applicable federal requirements referenced	IDAPA 58.01.01.107	3.26

#### Fugitive Dust

**3.1** All reasonable precautions shall be taken to prevent particulate matter (PM) from becoming airborne in accordance with IDAPA 58.01.01.650–651.

[IDAPA 58.01.01.650–651, 3/30/07]

**3.2** The permittee shall monitor and maintain records of the frequency and the method(s) used (e.g., water, chemical dust suppressants) to reasonably control fugitive emissions.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

**3.3** The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receiving of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee’s assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

- 3.4** The permittee shall conduct a quarterly facility-wide inspection of potential sources of fugitive emissions during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

## **Odors**

- 3.5** The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.

[IDAPA 58.01.01.775–776 (state only), 5/1/94]

- 3.6** The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07 (state only), 5/1/94]

## **Visible Emissions**

- 3.7** The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, NO<sub>x</sub>, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

[IDAPA 58.01.01.625, 4/5/00]

- 3.8** The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. Sources that are monitored using a continuous opacity monitoring system (COMS) are not required to comply with this permit condition. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either:

- a) take appropriate corrective action as expeditiously as practicable to eliminate the visible emissions. Within 24 hours of the initial see/no see evaluation and after the corrective action, the permittee shall conduct a see/no see evaluation of the emissions point in question. If the visible emissions are not eliminated, the permittee shall comply with b).

or

- b) perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20%, as measured using Method 9, for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective actions and report the period or periods as an excess emission in the annual compliance certification and in accordance with IDAPA 58.01.01.130–136.

[IDAPA 58.01.01.322.06, 5/1/94]

- 3.9** The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

[IDAPA 58.01.01.322.07, 5/1/94]

## **Excess Emissions**

### ***Excess Emissions—General***

- 3.10** The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130–136 for excess emissions. The provisions of IDAPA 58.01.01.130–136 shall govern in the event of conflicts between the excess emissions facility wide conditions (Permit Conditions 3.11 through 3.15) and the regulations of IDAPA 58.01.01.130–136.

During an excess emissions event, the permittee shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

### ***Excess Emissions—Startup, Shutdown, and Scheduled Maintenance***

- 3.11** In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the permittee shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

- Prohibiting any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory or a Wood Stove Curtailment Advisory has been declared by DEQ.
- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the permittee demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.
- Reporting and recording the information required pursuant to the excess emissions reporting and recordkeeping requirements (Permit Conditions 3.14 and 3.15) and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133, 4/11/06]

### ***Excess Emissions—Upset, Breakdown, or Safety Measures***

**3.12** In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the permittee shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

- Immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.
- Notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the permittee demonstrates to DEQ's satisfaction that the longer reporting period was necessary.
- Report and record the information required pursuant to the excess emissions reporting and recordkeeping facility wide conditions (Permit Conditions 3.14 and 3.15) and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.
- During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the permittee to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the permittee.

[IDAPA 58.01.01.134, 4/11/06]

### ***Excess Emissions—Reporting and Recordkeeping***

**3.13** The permittee shall submit a written report to DEQ for each excess emissions event, no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135, 4/11/06]

**3.14** The permittee shall maintain excess emissions records at the facility for the most recent five calendar-year period. The excess emissions records shall be made available to DEQ upon request and shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

- An excess emissions log book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and
- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the permittee in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136, 4/5/00]

### **Open Burning**

**3.15** The permittee shall comply with the “Rules for Control of Open Burning” (IDAPA 58.01.01.600–623).

[IDAPA 58.01.01.600–623, 5/08/09]

## **Asbestos**

### **3.16 NESHAP 40 CFR 61, Subpart M—National Emission Standard for Asbestos**

The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M—“National Emission Standard for Asbestos.”

[40 CFR 61, Subpart M]

## **Accidental Release Prevention**

**3.17** A permittee of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the “Chemical Accident Prevention Provisions” at 40 CFR 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
- The date on which a regulated substance is first present above a threshold quantity in a process

[40 CFR 68.10 (a)]

## **Recycling and Emissions Reductions**

### **3.18 40 CFR Part 82—Protection of Stratospheric Ozone**

The permittee shall comply with applicable standards for recycling and emissions reduction of refrigerants and their substitutes pursuant to 40 CFR 82, Subpart F, “Recycling and Emissions Reduction.”

[40 CFR 82, Subpart F]

## **NSPS/NESHAP General Provisions**

### **3.19 NESHAP 40 CFR 63, Subpart A—General Provisions**

The permittee shall comply with the requirements of 40 CFR 63, Subpart A—“General Provisions” including 63.4, 63.6, 63.7, 63.9, 63.10 and 63.13.

## **Monitoring and Recordkeeping**

**3.20** The permittee shall maintain sufficient records to ensure compliance with all of the terms and conditions of this operating permit. Monitoring records shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

## **Performance Testing**

**3.21** If performance testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order,

consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests such testing not be performed on weekends or state holidays.

**3.22** All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any performance test, the permittee is encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

- The type of method to be used
- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]

**3.23** Unless a longer time is approved by DEQ, the permittee shall submit a compliance test report for the respective test to DEQ within 30 days following the date in which a compliance test required by this permit is concluded. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

**3.24** The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the DEQ address specified in the "Reports and Certifications" facility wide condition.

[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]

## Reports and Certifications

**3.25** All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130–136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance  
Department of Environmental Quality  
Boise Regional Office  
1445 N. Orchard  
Boise, ID 83706  
Phone: (208) 373-0550  
Fax: (208) 373-0287

The periodic compliance certification required in the general provisions (General Provision 6.22) shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10  
Air Operating Permits, OAQ-107  
1200 Sixth Ave.  
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 4/5/00]

## **Incorporation of Federal Requirements by Reference**

**3.26** Unless expressly provided otherwise, any reference in this permit to any document identified in IDAPA 58.01.01.107.03 shall constitute the full incorporation into this permit of that document for the purposes of the reference, including any notes and appendices therein. Documents include, but are not limited to:

- Standards of Performance for New Stationary Sources (NSPS), 40 CFR Part 60
- National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61
- National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP), 40 CFR Part 63

For permit conditions referencing or cited in accordance with any document incorporated by reference (including permit conditions identified as NSPS or NESHAP), should there be any conflict between the requirements of the permit condition and the requirements of the document, the requirements of the document shall govern, including any amendments to that regulation.

[IDAPA 58.01.01.107, 4/7/11]

## 4 Production of Bath Units (Stacks EF-9, EF-10, EF-11, EF-12, and EF-14)

### Summary Description

Best Bath Systems produces fiberglass shower and tub units primarily using spray layup techniques on open molds. Typically, three polyester-styrene layers are applied to molds to create the units: gel coat, barrier coat, and glass-reinforced resin. A fourth polymeric diisocyanate material, “blue foam,” is sprayed on to create reinforced floors. The first three layers are applied in the Lamination Area. Accents may be applied in a paint booth (EF-14).

The air ventilation system for production operations exhausts through a series of two filters to stacks as listed below. The exhaust from the air ventilation system first passes through a fiberglass bulk media filter and then through a 1-inch fiberglass filter. Emissions from the makeup air units are co-mingled with the production area emissions, and exit the building through the production area stacks.

**Table 4.1** describes the devices used to control emissions from the production of bath units.

**Table 4.1. Production area emissions unit description.**

Emissions Units / Processes	Control Devices
Coatings applications during fabrication of fiberglass reinforced plastics.	For PM/PM <sub>10</sub> /PM <sub>2.5</sub> control: 1-inch fiberglass filter (approximately 72% efficiency); and fiberglass bulk media filter (approximately 84% efficiency) For VOC and HAP control: Control of operations in accordance with NESHAP/MACT requirements
Accent application in a paint booth	
Trim and finish operations. Rough edges are trimmed and plumbing holes are drilled. Exhaust from this area is filtered and exhausted back into the Trim Room work area. It is not directly vented to the outside.	For PM/PM <sub>10</sub> /PM <sub>2.5</sub> control: High-efficiency cartridge filters with a minimum efficiency of 90%.
Combustion emissions from building unit heaters that are vented thru the roof. There are 11 small gas-fired units installed throughout the facility with a typical design input of 0.30 MMBtu/hr.	Use of natural gas fuel, and good combustion control
Combustion emissions from two makeup air units with a combined input rating of approximately 9.6 MMBtu/hr. Emissions from these direct-fired natural gas fueled units are vented thru the fiberglass production area exhaust stacks.	Use of natural gas fuel, and good combustion control

**Table 4.2** contains only a summary of the requirements that apply to the production of bath units. Specific permit requirements are listed below.

**Table 4.2. Applicable requirements summary.**

Permit Conditions	Parameter	Limit / Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
4.1	PM <sub>10</sub> and VOC Emission Limits	Emissions limits listed in Table 4.3	P-2010.0047 PROJ 0047	4.10, 4.11 – 4.13
4.2 – 4.4	MACT Limitations, Work Practice Standards, and Compliance Deadlines		40 CFR Subpart WWWW, P-2010.0047 PROJ 0047	4.10, 4.17 – 4.28
4.5	Visible Emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625, P-2010.0047 PROJ 0047	3.8 – 3.9, 4.15
4.6	Fugitive Dust	Reasonable control	IDAPA 58.01.01.651, P-2010.0047 PROJ 0047	3.2 – 3.4, 4.16
4.7	Odors	Reasonable control	IDAPA 58.01.01.776, P-2010.0047 PROJ 0047	3.5 – 3.6, 4.14
4.8	Allowable Fuel	Natural gas	P-2010.0047 PROJ 0047	No specific requirements beyond generally applicable facility-wide and general requirements

## Emission Limits

**4.1** Total emissions of particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>) from Stacks EF-9, EF-10, EF-11, and EF-12 shall not exceed any corresponding emission limit listed in Table 4.3. Total emissions of volatile organic compounds (VOCs) from Stacks EF-9, EF-10, EF-11, and EF-12 shall not exceed any corresponding emission limit listed in Table 4.3. Three years from the date of notification of exceedance of the HAP emission threshold specified in 40 CFR 63.5805(c), the total VOC emission limit specified in Table 4.3 of this permit shall not apply, and the permittee shall comply with the emission limits specified in Permit Condition 4.3.

**Table 4.3. Lamination area and blue bottom area emission limits<sup>a</sup>.**

Pollutant	Lb/hr <sup>c</sup>	T/yr <sup>d</sup>
PM <sub>10</sub> <sup>b</sup>	1.60	
Total VOCs		108

- In absence of any other credible evidence, compliance is assured by complying with permit operating, monitoring, and record keeping requirements.
- Particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.81.
- Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference method, or DEQ-approved alternative.
- Tons per any consecutive 12-calendar month period.

**[P-2010.0047 PROJ 0047, 6/22/10]**

#### **4.2 MACT Compliance Deadline**

On and after the compliance date specified in 40 CFR 63.5800 and 40 CFR 63, Subpart WWWW, Table 2, April 21, 2006, the permittee shall comply with the applicable emission limitations, operating limitations and work practice standards of the National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production, 40 CFR 63, Subpart WWWW.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5800]

#### **4.3 MACT Emission Limitations**

In accordance with 40 CFR 63.5796, emissions factors are used in this subpart to determine compliance with organic HAP emissions limits in Table 3 to this subpart. The permittee may use the equations in Table 1 to this subpart to calculate emissions factors. Equations are available for each open molding operation and have units of pounds of organic HAP emitted per ton (lb/ton) of resin or gel coat applied. These equations are intended to provide a method for the permittee to demonstrate compliance without the need to conduct a HAP emissions test.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5796]

#### **4.4 MACT Work Practice Standards**

In accordance with 40 CFR 63.5805(g), all existing open molding, mixing, cleaning of equipment used in reinforced plastic composites manufacture, HAP-containing materials storage, and repair operations on parts that the permittee also manufacturers must meet the organic HAP emissions limits in Table 3 to this subpart and the work practice standards in Table 4 to this subpart that apply, regardless of the quantity of HAP emitted.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5805(g)]

#### **4.5 Opacity Limit**

Emissions from Stacks EF-9, EF-10, EF-11, EF-12, and EF-14, or any other stack, vent, or functionally equivalent opening associated with the coating application process, shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

[P-2010.0047 PROJ 0047, 6/22/10; IDAPA 58.01.01.625, 4/5/00]

#### **4.6 Reasonable Control of Fugitive Dust Emissions**

In accordance with IDAPA 58.01.01.651, all reasonable precautions shall be taken to prevent PM from becoming airborne. In determining what is reasonable, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of PM. Some of the reasonable precautions include, but are not limited to, the following:

- Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.
- Application, where practical, of asphalt, water or suitable chemicals to, or covering of dirt roads, material stockpiles, and other surfaces which can create dust.
- Installation and use, where practical, of hoods, fans, and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.

- Covering, where practical, of open-bodied trucks transporting materials likely to give rise to airborne dusts.
- Paving of roadways and their maintenance in a clean condition, where practical.
- Prompt removal of earth or other stored material from streets, where practical.

[P-2010.0047 PROJ 0047, 6/22/10; IDAPA 58.01.01.651, 5/1/94]

#### 4.7 Odorous Emissions

Odorous gases shall not be emitted to the atmosphere in such quantities as to cause air pollution, as required by IDAPA 58.01.01.775.

[P-2010.0047 PROJ 0047, 6/22/10; IDAPA 58.01.01.775, 5/1/94]

#### 4.8 Use of Natural Gas in Fuel-burning Equipment

The permittee shall burn natural gas exclusively in the fuel-burning equipment at this facility.

[P-2010.0047 PROJ 0047, 6/22/10]

### Compliance Demonstration Requirements

#### 4.9 Spray Gun and Filter Specifications

- Low-pressure spray guns shall be used for gel-coat applications. The facility shall use Magnum Venus model ATG-3500 or functionally equivalent spray guns demonstrated to produce similar operating pressures and emissions.
- Air ventilation system for spray operations shall be equipped with a 1-inch fiberglass filter and then through a fiberglass bulk media filter with a combined collection efficiency of at least 90% for PM<sub>10</sub>, or filters with an equivalent or greater collection efficiency. The combined efficiency may be determined using the following equation:

$$\text{Combined collection efficiency} = E = 1 - [(1-e_1) * (1-e_2)]$$

Where:  $e_1$  = PM<sub>10</sub> collection efficiency for the initial filter; and

$e_2$  = PM<sub>10</sub> collection efficiency for the secondary filter (e.g., where 72% collection efficiency is expressed as 0.72)

[P-2010.0047 PROJ 0047, 6/22/10]

#### 4.10 MACT Compliance Demonstration Requirements

On and after the compliance date specified in 40 CFR 63.5800 and 40 CFR 63, Subpart WWWW, Table 2, the permittee shall comply with the applicable compliance demonstration requirements of the National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production, 40 CFR 63, Subpart WWWW. Please refer to the following sections of the rule:

- Options For Meeting The Standards For Open Molding And Centrifugal Casting Operations At New And Existing Sources: 40 CFR 63.5810;
- General Compliance Requirements: 40 CFR 63.5835;
- Performance Test Or Other Initial Compliance Demonstration: 40 CFR 63.5840, 40 CFR 63.5860;

- Continuous Compliance Demonstration: 40 CFR 63.5895, 40 CFR 63.5900; and
- Recordkeeping: 40 CFR 63.5905, 40 CFR 63.5910, 40 CFR 63.5915, 40 CFR 63.5920;
- General Provisions: 40 CFR 63.5925 and 40 CFR 63, Subpart WWWW, Table 15.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5810 through 40 CFR 63.5925]

#### 4.11 Material Usage Records

The permittee shall maintain records that contain, but are not limited to, the following information:

- the name and identification number for each gel-coat, resin, adhesive, catalyst, paint, promoter, styrene, and wax used;
- the percent by weight of each VOC in each compound; and
- gallons and pounds of each gel-coat, resin, adhesive, catalyst, paint, promoter, styrene, and wax used per month.

[P-2010.0047 PROJ 0047, 6/22/10]

#### 4.12 VOC Emissions Determination Equation

The permittee shall calculate and record on a monthly basis the annual VOC emission rate expressed as tons per any consecutive 12-month period, from the facility to demonstrate compliance with the annual VOC emission limit in Table 4.3 of Permit Condition 4.1.

[P-2010.0047 PROJ 0047, 6/22/10]

#### 4.13 Operations and Maintenance Manual for Dust Collection System

The permittee shall have developed an Operations and Maintenance (O&M) Manual for the dust collection system. The manual will describe procedures that will be followed to comply with the manufacturer specifications for the dust filter system. The manual shall include, but not be limited to, the following provisions:

- Inspect the filters weekly for collapse, and record date of inspection.
- Replace filters when collapsed or otherwise not functioning properly.
- Maintain negative air pressure inside the building.

[P-2010.0047 PROJ 0047, 6/22/10]

#### 4.14 Odor Management Plan

The permittee shall have developed an Odor Management Plan for the facility. The plan shall describe procedures that will be followed to comply with Permit Condition 4.5. The plan shall include, but not be limited to, the following provisions:

- Maintain negative air pressure inside the building.
- Keep all storage containers and vessels closed when not in use.
- Keep the door to the mixing tank room closed while extenders and fillers are being added to the resin matrix.
- Maintain records of all odor complaints received.

- Take appropriate corrective action as expeditiously as practicable on all complaints of merit.
- Maintain records of the permittee's assessment of the validity of complaints received.
- Maintain records of any corrective action taken, and the date the corrective action was taken.

[P-2010.0047 PROJ 0047, 6/22/10]

#### **4.15 Visible Emissions Monitoring**

The permittee shall conduct a quarterly (by calendar) facility-wide inspection of potential point sources (i.e., each stack, vent or functionally equivalent opening) of visible emissions during daylight hours and under normal operating conditions. There shall be a minimum of at least 60 days between each inspection. Unless visible emissions are present, no formal Method 9 visible emissions observation is required. If any visible emissions are present from any point of emission, the permittee shall either take corrective action within 24 hours to remedy the cause of the visible emissions, or conduct a Method 9 evaluation of the emissions using the procedures in IDAPA 58.01.01.625. If the corrective action does not eliminate the visible emissions, then a Method 9 visible emission observation shall be required.

If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance.

The permittee shall maintain records of the results of each visible emission inspection. The records shall, at a minimum, include the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time of each inspection, the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), and any corrective action taken.

[P-2010.0047 PROJ 0047, 6/22/10]

#### **4.16 Fugitive Dust Monitoring**

The permittee shall conduct quarterly (by calendar) facility-wide inspections of potential sources of fugitive dust emissions, during daylight hours and under normal operating conditions, to ensure that the methods used to reasonably control fugitive dust emissions are effective. If fugitive dust emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive dust emission inspection. The records shall, at a minimum, include the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive dust emissions were present (if observed), any corrective action taken, and the date the corrective action was taken. The most recent five years of records shall be kept onsite and shall be made available to DEQ representatives upon request.

[P-2010.0047 PROJ 0047, 6/22/10]

### **Reporting Requirements**

#### **4.17 MACT Notifications**

In accordance with 40 CFR 63.5905, the permittee shall submit an initial notification according to the requirements for existing sources under Table 13 of this subpart.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5905]

#### **4.18 MACT Reporting**

In accordance with 40 CFR 63.5910(a), the permittee must submit each report in Table 14 to this subpart, a Compliance Report and/or an Immediate Startup, Shut-Down and Malfunction Report, that applies to the permittee.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5910(a)]

#### **4.19 MACT Compliance Reporting**

In accordance with 40 CFR 63.5910(b), the permittee shall adhere to the following:

- The initial compliance report must cover the period beginning on the compliance date and ending on June 30 or December 31, whichever is the first date following the end of the first calendar half after the compliance date
- The first compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date
- Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31
- Each subsequent compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5910(b)]

#### **4.20 MACT Compliance Report**

In accordance with 40 CFR 63.5910(c), the compliance report must contain the information in paragraphs (1) through (5) of this section:

- (1) Company name and address.
- (2) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.
- (3) Date of the report and beginning and ending dates of the reporting period.
- (4) If the permittee had a startup, shutdown, or malfunction during the reporting period and the permittee took actions consistent with the permittee's startup, shutdown, and malfunction plan, the compliance report must include the information in §63.10(d)(5)(i).
- (5) If there are no deviations from any organic HAP emissions limitations (emissions limit and operating limit) that apply to the permittee, and there are no deviations from the requirements for work practice standards in Table 4 to this subpart, a statement that there were no deviations from the organic HAP emissions limitations or work practice standards during the reporting period.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5910(c)]

#### **4.21 MACT Deviation Reporting**

In accordance with 40 CFR 63.5910(d), for each deviation from an organic HAP emissions limitation (i.e., emissions limit and operating limit) and for each deviation from the requirements for work practice standards that occurs at an affected source where the permittee is not using a CMS to comply with the organic HAP emissions limitations or work practice standards in this subpart, the compliance report must contain the information in paragraphs (c)(1) through (4) of the

previous permit condition and in paragraphs (d)(1) and (2) of this section. This includes periods of startup, shutdown, and malfunction.

- (1) The total operating time of each affected source during the reporting period.
- (2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5910(d)]

#### **4.22 MACT Semiannual Monitoring Report**

In accordance with 40 CFR 63.5910(g), the permittee must report all deviations as defined in this subpart in the semiannual monitoring report required by this permit. If an affected source submits a compliance report pursuant to Table 14 to this subpart along with, or as part of, the semiannual monitoring report required by this permit, and the compliance report includes all required information concerning deviations from any organic HAP emissions limitation (including any operating limit) or work practice requirement in this subpart, submission of the compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permitting authority.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5910(g)]

#### **4.23 Other MACT Reports**

In accordance with 40 CFR 63.5910(h) submit compliance reports and startup, shutdown, and malfunction reports based on the requirements in table 14 to this subpart.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5910(h)]

#### **4.24 MACT Compliance Option Reports**

In accordance with 40 CFR 63.5910(i) where multiple compliance options are available, the permittee must state in the next compliance report if the permittee has changed compliance options since the last compliance report.

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5910(i)]

#### **4.25 MACT Records**

In accordance with 40 CFR 63.5915(a), the permittee must keep the records listed in paragraphs (1) through (3) of this section.

- (1) A copy of each notification and report that was submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirements in §63.10(b)(2)(xiv).
- (2) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.
- (3) Records of performance tests, design, and performance evaluations as required in §63.10(b)(2).

[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5915(a)]

#### **4.26 MACT HAP Recordkeeping**

In accordance with 40 CFR 63.5915(c), the permittee must keep all data, assumptions, and calculations used to determine organic HAP emissions factors or average organic HAP contents for operations listed in Tables 3, 5, and 7 to this subpart.

**[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5915(c)]**

#### **4.27 MACT Certified Statement**

In accordance with 40 CFR 63.5915(d), the permittee must keep a certified statement that it is in compliance with the work practice requirements in Table 4 to this subpart, as applicable.

**[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5915(d)]**

#### **4.28 MACT Recordkeeping**

In accordance with 40 CFR 63.5920 the permittee:

- (a) must maintain all applicable records in such a manner that they can be readily accessed and are suitable for inspection according to §63.10(b)(1).
- (b) As specified in §63.10(b)(1), must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) must keep each record onsite for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). The permittee can keep the records offsite for the remaining 3 years.
- (d) may keep records in hard copy or computer readable form including, but not limited to, paper, microfilm, computer floppy disk, magnetic tape, or microfiche.

**[P-2010.0047 PROJ 0047, 6/22/10; 40 CFR 63.5920]**

## 5 Insignificant Activities

- 5.1** Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in Table . to qualify for a permit shield. There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the facility-wide permit conditions (Section 3).

**Table 5.1 Insignificant activities.**

Description	Insignificant Activities IDAPA 58.01.01.317.01(b)(i) Citation
11 natural gas-fired unit heaters less than 5,000,000 Btu/hr	58.01.01.317(b)(5)
Make up air unit #2 less than 5,000,000 Btu/hr fired on natural gas	58.01.01.317(b)(5)

[IDAPA 58.01.01.317.01(b)(i), 5/3/03]

## 6 General Provisions

### General Compliance

- 6.1** The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.  
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]
- 6.2** It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.  
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]
- 6.3** Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.  
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

### Reopening

- 6.4** This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.  
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]
- 6.5** The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

### Property Rights

- 6.6** This permit does not convey any property rights of any sort or any exclusive privilege.  
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

### Information Requests

- 6.7** The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.  
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]
- 6.8** Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.  
[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

## Severability

- 6.9** The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

## Changes Requiring Permit Revision or Notice

- 6.10** The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200–223, 4/2/08; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380–386, 7/1/02; 40 CFR 70.4(b)(12), (14), (15); 40 CFR 70.7(d), (e)]

- 6.11** Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the Clean Air Act (CAA), 42 United States Code (U.S.C.) Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381–385, 4/5/00; IDAPA 58.01.01.209.05, 4/11/06; 40 CFR 70.4(b)(14), (15)]

## Federal and State Enforceability

- 6.12** Unless specifically identified as a "state-only" provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source's potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1), (2)]

- 6.13** Provisions specifically identified as a "state-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

## Inspection and Entry

- 6.14** Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:
- Enter upon the permittee's premises where a Tier I source is located, or emissions related activity is conducted, or where records are kept under conditions of this permit;
  - Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
  - Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

- As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.l, 5/1/94; 40 CFR 70.6(c)(2)]

## **New Applicable Requirements**

- 6.15** The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]

## **Fees**

- 6.16** The permittee shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.387 through IDAPA 58.01.01.397.

[IDAPA 58.01.01.387, 4/2/03; 40 CFR 70.6(a)(7)]

## **Certification**

- 6.17** All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

## **Renewal**

- 6.18** The permittee shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the permittee is encouraged to submit a renewal application nine months prior to the date of expiration.

[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]

- 6.19** If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit, including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325, shall remain in effect until the renewal permit has been issued or denied.

[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

## **Permit Shield**

- 6.20** Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
- DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
- The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
- Nothing in this permit shall alter or affect the following:

- Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
- The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
- The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
- The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

**[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.m, 5/1/94; IDAPA 58.01.01.325, 3/19/99; IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]**

## **Compliance Schedule and Progress Reports**

**6.21** The permittee shall comply with the following:

- For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
- For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.
- For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

**[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 5/1/94; IDAPA 58.01.01.314.10, 4/5/00; 40 CFR 70.6(c)(3) and (4)]**

## **Periodic Compliance Certification**

**6.22** The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:

- The compliance certifications for all emissions units shall be submitted annually from January 1 to December 31 or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.
- The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit, including emissions limitations, standards, and work practices;
- The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
  - The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
  - The identification of the method(s) or other means used by the permittee for determining the compliance status with each term and condition during the certification period. Such methods and other means shall include, at a minimum, the methods and means required under Subsections 322.06, 322.07, and 322.08;
  - The status of compliance with the terms and conditions of the Tier I operating permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means

designated in Subsection 322.11.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred; and

- Such information as DEQ may require to determine the compliance status of the emissions unit.

**6.23** All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11, 4/6/05; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (10/22/97); 40 CFR 70.6(c)(5)(iv)]

### **False Statements**

**6.24** No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125, 3/23/98]

### **No Tampering**

**6.25** No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126, 3/23/98]

### **Semiannual Monitoring Reports**

**6.26** In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from January 1 to June 30 and July 1 to December 31. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

### **Reporting Deviations and Excess Emissions**

**6.27** The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130–136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/11/06; 40 CFR 70.6(a)(3)(iii)]

### **Permit Revision Not Required**

**6.28** No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

## **Emergency**

**6.29** In accordance with IDAPA 58.01.01.332, an "emergency," as defined in IDAPA 58.01.01.008, constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.

**[IDAPA 58.01.01.332.01, 4/5/00; 40 CFR 70.6(g)]**